

**UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA**

LIBERTY RESOURCES, INC.; DISABLED  
IN ACTION OF PENNSYLVANIA, INC;  
PHILADELPHIA ADAPT; TONY BROOKS;  
LIAM DOUGHERTY; FRAN FULTON; and  
LOUIS OLIVO;

Plaintiffs,

-against-

THE CITY OF PHILADELPHIA,

Defendant.

Case No. 2:19-cv-03846

**DECLARATION OF MEREDITH J.  
WEAVER IN SUPPORT OF  
PLAINTIFFS' OPPOSITION TO  
DEFENDANT'S FIRST MOTION *IN*  
*LIMINE***

Judge: Honorable Harvey Bartle III

I, Meredith J. Weaver, hereby declare:

1. I am an attorney duly licensed to practice law in the State of California and admitted to the United States District Court for the Eastern District of Pennsylvania *pro hac vice* in this matter. I am one of the counsel of record for Plaintiffs and the Class in the above-captioned case. This declaration is based upon my personal knowledge. If called to testify, I could testify competently to the facts described in this declaration.

2. I submit this declaration in support of Plaintiffs' Opposition to Defendant's First Motion *in Limine*.

3. Plaintiffs served their Initial Disclosures on the City on March 9, 2020 along with documents Bates stamped P000001–116.

4. Plaintiffs served their First Supplemental Disclosures on the City on March 16, 2020 along with documents Bates stamped P000117–206.

5. Plaintiffs served their Second Supplemental Disclosures on the City on April 6, 2020 identifying additional individuals with discoverable information and producing documents Bates stamped P000207–211. A true and correct copy of Plaintiffs' Second Supplemental Disclosures is attached hereto as **Exhibit A**.

6. Plaintiffs served their Third Supplemental Disclosures on the City on September 9, 2020 identifying an additional individual with discoverable information.

7. Defendant did not seek to depose any witnesses during fact discovery.

8. Plaintiffs served their responses to Defendant's First Set of Interrogatories on September 9, 2020, a true and correct copy of those responses is in the record at Dkt. No. 80-18. The only Interrogatory response on which Defendant sought additional information from Plaintiffs was Interrogatory No. 4. Defendant requested a supplemental response to Interrogatory

No. 4 in correspondence dated December 8, 2020, and Plaintiffs supplemented their response to Interrogatory No. 4 on December 18, 2020. Defendant did not indicate to Plaintiffs that it considered any other interrogatory responses insufficient.

9. A true and correct copy of Defendant's First Set of Requests for Production, served on August 10, 2020, is attached hereto as **Exhibit B**.

10. A true and correct copy of Plaintiffs' Response to Defendant's First Set of Requests for Production, served on September 9, 2020 along with P000212–P001332, is attached hereto as **Exhibit C**.

11. Plaintiffs supplemented their production of documents with P001333–P001646 on October 28, 2020; with P001647–P001894 on December 14, 2020; and with P001895–P001984 on November 3, 2021.

12. Plaintiffs served their expert disclosures on April 30, 2021. A true and correct copy of Plaintiffs' expert disclosure is in the record at Dkt. No. 77-7.

13. Defendant did not designate any experts on April 30, 2021, the deadline for expert disclosure.


14. On June 11, 2021, Defendant designated Bill Hecker as a rebuttal expert and served his rebuttal report. A true and correct copy of Defendant's Expert Disclosures is attached hereto as **Exhibit D**. A true and correct copy of Mr. Hecker's rebuttal report is in the record at Dkt. No. 80-9.

15. On November 1, 2021, Plaintiffs served their Pretrial Disclosures on Defendant, a true and correct copy is attached hereto as **Exhibit E**. Plaintiffs subsequently amended these disclosures on December 13, 2021.

16. Attached hereto as **Exhibit F** is a true and correct excerpt from CITY0005956, a native Excel document produced by Defendant. This excerpt shows rows reflecting the following intersections: Bleigh Avenue & Pennway Street, Bleigh Avenue & Montour Street, Bleigh Avenue & Tabor Avenue, Bleigh Avenue & Bingham Street, Bleigh Avenue & Rising Sun Avenue, Adams Avenue & Church Street, Adams Avenue & Horrocks Street, W. Montgomery Avenue & N. Bambrey Street, W. Montgomery Avenue & N. Lambert Street, W. Montgomery Avenue & N. 21st Street, W. Montgomery Avenue & N. 22nd Street, W. Montgomery Avenue & N. 24th Street, W. Montgomery Avenue & N. Van Pelt Avenue, and S. 20th Street & Morris Street from the “data” sheet of that Excel document with columns A-G, K, M-N, and R-T hidden. Plaintiffs have highlighted rows where the “GIS\_RESURF” column is a date after August 27, 2017.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 12, 2022 in Portland, Oregon.

  
Meredith J. Weaver

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

LIBERTY RESOURCES, INC, et al.,

Plaintiffs,

v.

THE CITY OF PHILADELPHIA

Defendant

Case No. 2:19-cv-03846

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **DECLARATION OF MEREDITH J. WEAVER IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANT'S FIRST MOTION *IN LIMINE*** is hereby filed electronically and available for viewing and downloading from the ECF system; and has been served on Defendant's counsel by ECF's electronic notification today, January 12, 2022.



Meredith J. Weaver\*  
CA Bar # 299328  
mweaver@dralegal.org  
DISABILITY RIGHTS ADVOCATES  
2001 Center Street, Fourth Floor  
Berkeley, CA 94704-1204  
Tel: (510) 665-8644  
Fax: (510) 665-8511

\*Admitted *Pro Hac Vice*